

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

*O I P E SC 177  
SEP 8 2 2004  
PATENT & TRADEMARK OFFICE*

In re Application of )  
Ivan FAUL ) Confirmation No.4841  
U.S. Patent Application No. 10/808,459 )  
Filed: March 25, 2004 )

For: MEANS OF TRACKING MOVEMENT OF BODIES DURING MEDICAL  
TREATMENT

**RESPONSE TO NOTICE OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371**

Mail Stop Missing Parts  
Commissioner For Patents  
PO Box 1450  
Alexandria VA 22313

Dear Sir:

This paper is being submitted in response to the Notice of Missing Parts of Application dated July 22, 2004. submitted herewith are the following documents for filing in the above-referenced application:

1. A new set of drawings as requested;
2. A copy of the Declaration and Power of Attorney (which is in compliance with 37 CFR 1.497(a)) that had previously been filed;
3. A copy of the post card receipt showing that the Declaration and Power of Attorney had been filed with the original application; and
4. A copy of the letter covering submission of this application.

**REMARKS**

It is not believed that any fee is due with the filing of this paper. However, if a fee is due, kindly charge the same to the undersigned attorneys' deposit account 07-1337.

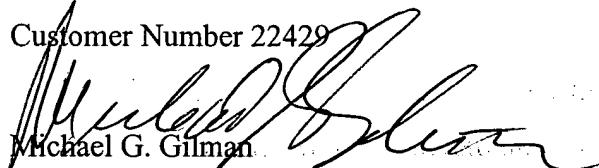
In the Notice to File Missing Parts, the examiner has asserted that no declaration had been filed in this application. That is not correct. Attached hereto and filed herewith are copies

of the declaration that was originally filed; the cover letter submitting this application and the return post card date stamped by the Patent and Trademark Office. It is clear that the declaration was filed and that no further declaration need be filed. Since the declaration had previously been timely filed, there is no fee required by this response.

Respectfully submitted,

**LOWE HAUPTMAN GILMAN & BERNER, LLP**

Customer Number 22429

  
Michael G. Gilman

Registration No. 19,114

Enclosures: Copy of Declaration  
Copy of Post Card Receipt  
Copy of Submission Cover Letter  
New drawing (4 sheets)

1700 Diagonal Road,  
Suite 310  
Alexandria, Virginia 22314  
(703) 684-1111  
Facsimile: (703) 518-5499  
September 2, 2004

O I P E 5017  
SEP 02 2004

## UNITED STATES PATENT AND TRADEMARK OFFICE

Page 1 of 2  
J. F. [Signature]  
UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
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P.O. Box 1450  
Alexandria, Virginia 22313-1450  
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/808,459	03/25/2004	Ivan Faul	4638-001

22429  
LOWE HAUPTMAN GILMAN AND BERNER, LLP  
1700 DIAGONAL ROAD  
SUITE 300 /310  
ALEXANDRIA, VA 22314

## CONFIRMATION NO. 4841

## FORMALITIES LETTER



\*OC000000013310780\*

Date Mailed: 07/22/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

## FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
  - The drawings have a line quality that is too light to be reproduced (weight of all lines and letters must be heavy enough to permit adequate reproduction) or text that is illegible (reference characters, sheet numbers, and view numbers must be plain and legible) see 37 CFR 1.84(l) and (p)(1)); See Figure(s) 4, 5.
  - The drawings must be made on paper that has a white background (see 37 CFR 1.84 (e)). For example, drawings on graph paper, lined paper, or paper that has a non-white background are not acceptable. See Figure(s) 4, 5.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$65** for a Small Entity

- **\$65** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*

T TU  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202  
PART 2 - COPY TO BE RETURNED WITH RESPONSE



**LOWE HAUPTMAN GILMAN & BERNER LLP**  
1700 Diagonal Road, Suite 300, Alexandria, VA 22314

**Early Serial Number Requested**

**NEW PATENT APPLICATION**

Docket No.: 4638-001

Enclosed for filing herewith is a

Utility Application       Design Application  
 National Stage Processing of Int'l Application. No. \_\_\_\_\_

Provisional Application  
Filed: \_\_\_\_\_

22390 U.S. PTO  
10/808459

Of (INV.): Ivan FAUL

For (Title): Means of Tracking Movement of Bodies During



032504

The PTO stamp hereon acknowledge receipt of:

Specification, Claims & Abstract (pages 17) (No. Claims 20)       Drawings (sheets 4)  Formal  
 PCT National Stage Transmittal Letter (PTO Form 1390), with:       International Publication No.  
 Translation       Amendment (Article 19),       Translation       Amendment (Article 34)       Translation  
 Request for filing       Continuation       Divisional (37 CFR 1.53b)

Copy of Prior Application & Declaration SN:

Filed:

Declaration/Power of Atty.

Claim to Priority

Assignment with recordation form cover sheet

Certified Copy of Priority Document(s)

Info. Disclosure Statement, PTO 1449 & references

Preliminary Amendment

Statement Regarding Sequence Listing under 37 C.F.R. § 1.821

Check No. 5699

Credit Card Payment Form No. \_\_\_\_\_

Amount: \$ 385.00

Others: \_\_\_\_\_

Filed By/For:

MGG/elp

Date:

3-25-04